MONTANA FISH, WILDLIFE & PARKS

Draft
Environmental Assessment

Fort Peck Dredge Cut Fishing Access Site Dock and Trail Improvements

November 16th, 2020

Draft Environmental Assessment
CHECKLIST

PART I. PROPOSED ACTION DESCRIPTION

1. Type of proposed state action:

Montana Fish, Wildlife and Parks (FWP) Region 6 is proposing improvements to the docks and trails at Fort Peck Dredge Cut Fishing Access Site (FAS) near the town of Fort Peck in Valley County Montana. FWP is proposing to replace the existing docks with new docks. New docks would be anchored to fixed helical piers. Trails to these docks are proposed to be re-routed for enhanced safety. One of the trails and docks is being designed to be ADA compliant.

2. Agency authority for the proposed action:

The 1977 Montana Legislature enacted Section 87-1-605 Montana Code Annotated (MCA), which directs FWP to acquire, develop and operate a system of fishing accesses. The legislature earmarked a funding account to ensure that the fishing access site program would be implemented. Section 87-1-303, MCA, authorizes the collection of fees and charges for the use of fishing access sites, and contains rule-making authority for their use, occupancy, and protection. Furthermore, Section 23-1-110, MCA, and Administrative Rules of Montana (ARM) 12.2.433 guide public involvement and comment for improvements at state parks and fishing access sites, which this document provides.

ARM 12.8.602 requires the Department to consider the wishes of the public, the capacity of the site for development, environmental impacts, long-range maintenance, protection of natural features and impacts on tourism as these elements relate to development or improvement to fishing access sites or state parks. This document will illuminate the facets of the Proposed Action in relation to this rule. See *Appendix A* for HB 495 qualification.

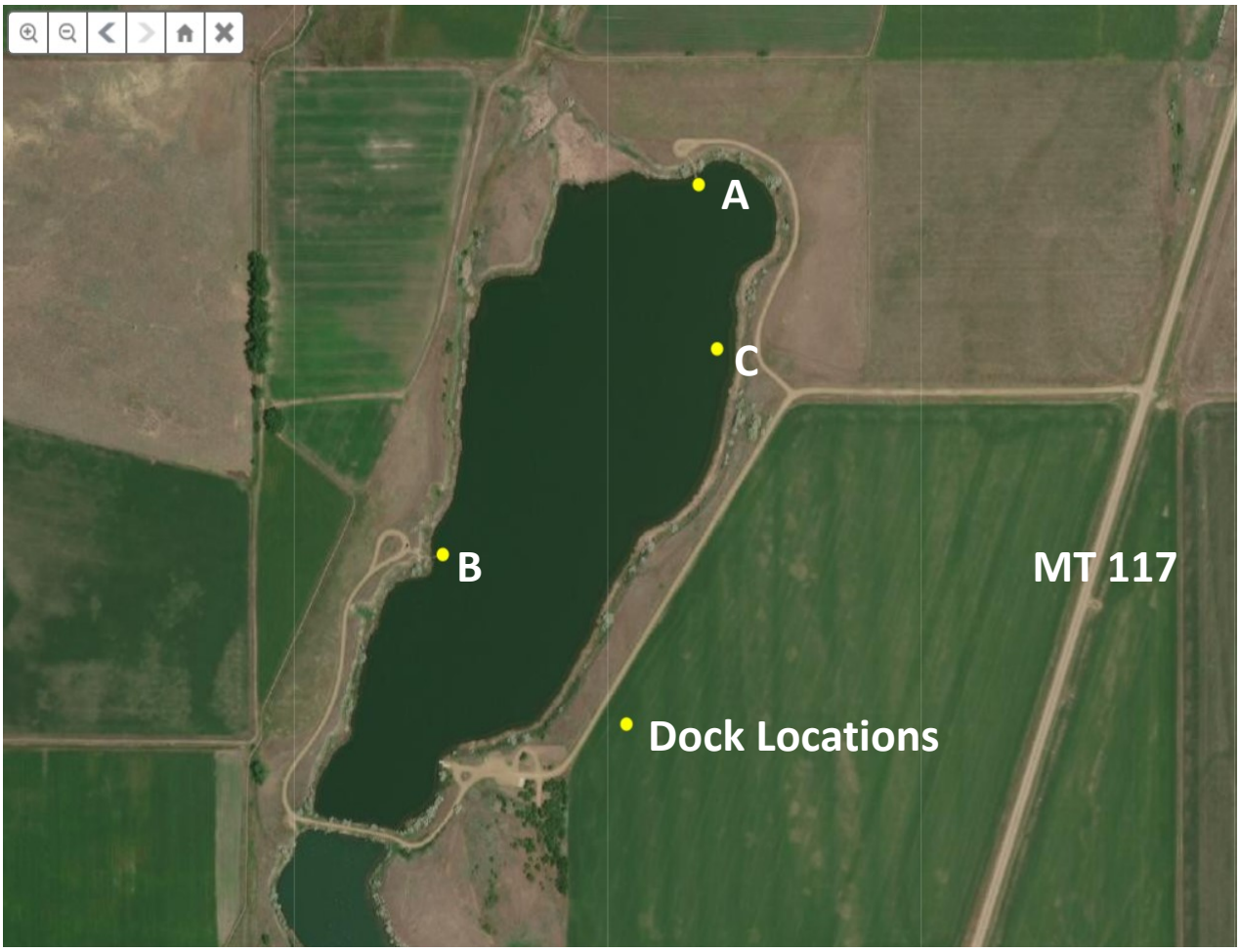
3. Name, address and phone number of project sponsor (if other than the agency):

4. Anticipated Schedule:

Estimated Construction Commencement Date: Dec 31, 2020
Estimated Completion Date: December 31st, 2021
Current Status of Project Design (% complete): 75

5. Location affected by proposed action (county, range and township – included map): Valley County, T27N, R41E, S33 **(Figure 1)**

Figure 1. Fort Peck Dredge Cut and access locations



6. Project size -- estimate the number of acres that would be directly affected that are currently:

	Acres		Acres
(a) Developed:		(d) Floodplain	0
Residential	0		
Industrial	0	(e) Productive:	
		Irrigated cropland	0
(b) Open Space/	0	Dry cropland	0
Woodlands/Recreation		Forestry	0
(c) Wetlands/Riparian	<1	Rangeland	0
Areas		Other	0

8. Permits, Funding & Overlapping Jurisdiction.

(a) Permits: permits/forms have already been filed.

Agency Name	Permits
US Corps of Engineers	404 Federal Clean Water Act

(b) Funding:

Agency Name	Funding Amount
MT FWP	$100,000.00

(c) Other Overlapping or Additional Jurisdictional Responsibilities:

Agency Name	Type of Responsibility
US Army Corps of Engineers	Property Owners

9. Narrative summary of the proposed action:

The Fort Peck Dredge Cut FAS (herein after referred to as FPDC) was originally developed in the 1930's. This area was dredged, and the slurry of material was hydraulically pumped to create Fort Peck Dam. The back end of the Dredge Cut complex was diked off in the 60's and is locally known as the Old Trout Pond. This area is used by anglers, boaters, swimmers, dog trainers, picnickers and hunters, to name a few. There are currently two access paths to the pond which are steep and eroded (photo 1). They lead to docks on the water to allow anglers to get past the cattails and weed line in an effort to provide access to better fishing water. The cribbing structures that the docks attach to are rotted and unsafe (photos 2 & 3). The docks are old and require yearly maintenance. They also need to be removed in the fall so that they are not further damaged by ice.

Fish, Wildlife and Parks is proposing to reroute the west side trail to the water by adding a switchback, remove the old cribbing structures (both west and north), and rip-rap the small part of the shoreline where the cribbing was (figures 2a and 2b). Then, bridge timbers would attach to helical piers that would be drilled into the pond approximately twenty feet off-shore. The bridge timbers would span over the water (but not touch it) to these piers and decking would be placed on top of them. This would be a long-term solution, safer, and more environmentally friendly than the existing structures currently in place.

Finally, a third access is proposed on the east side of the Dredge Cut (where an old trail exists) This site will require excavating the trail and use approximately 100 cy of native soil (from the FPDC banks) to create a land jetty over the cattails. Then the fishing platform would be constructed in the same fashion as the north and west docks. Most importantly, this new access will be ADA compliant (figure 2c).

The engineer stamped drawings are shown in figure 3.

Photo 1 Steep, eroded trail down to the fishing dock on the west side of the FPDC

Photos 2 (North) Existing cribbing structure that is unsafe and dilapidated.

Photo 3 (West) Existing cribbing structure that is unsafe and dilapidated.

Figure 2a (north) and b (west). Proposed preliminary concept plans.

Figure 2c (east). Proposed preliminary concept plan, ADA compliant.

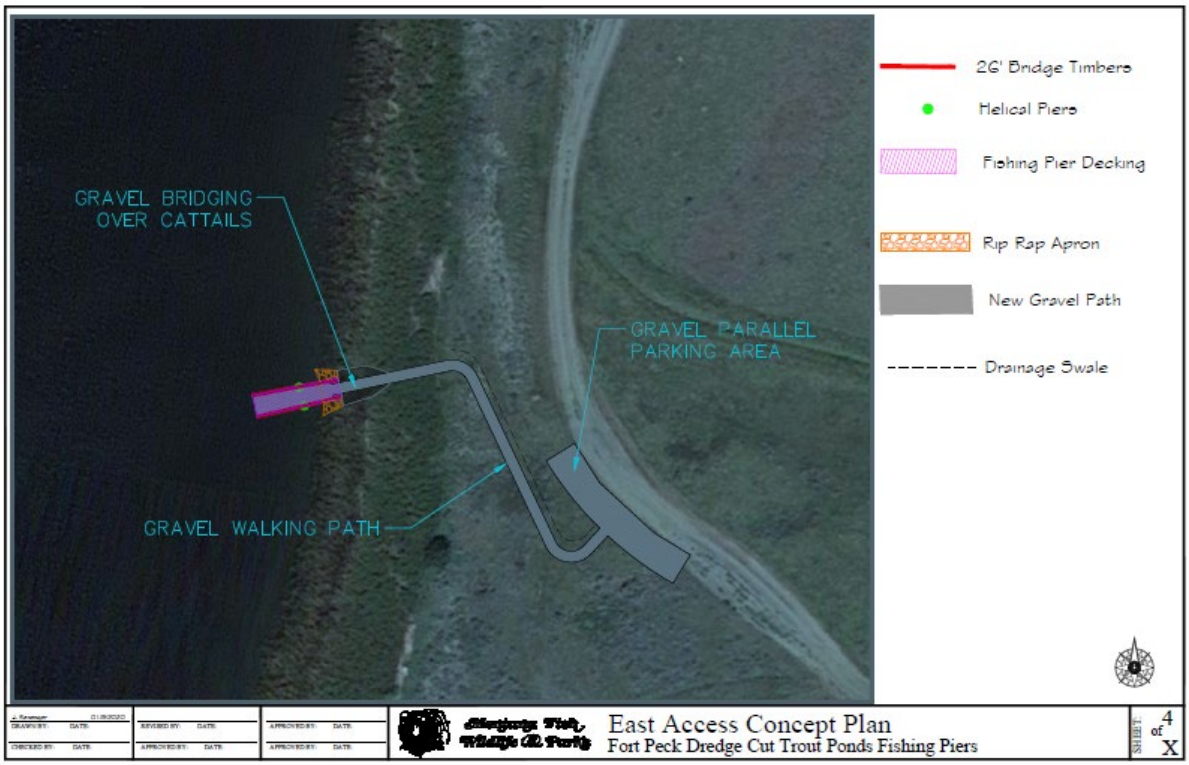
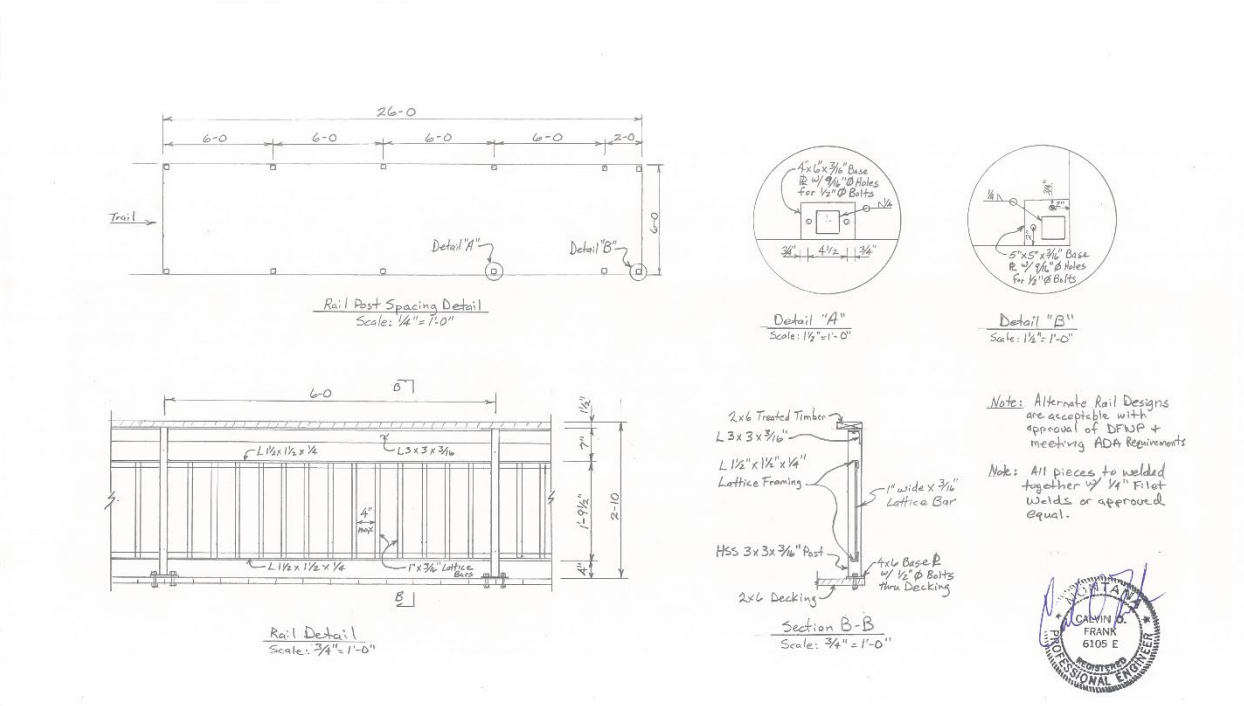
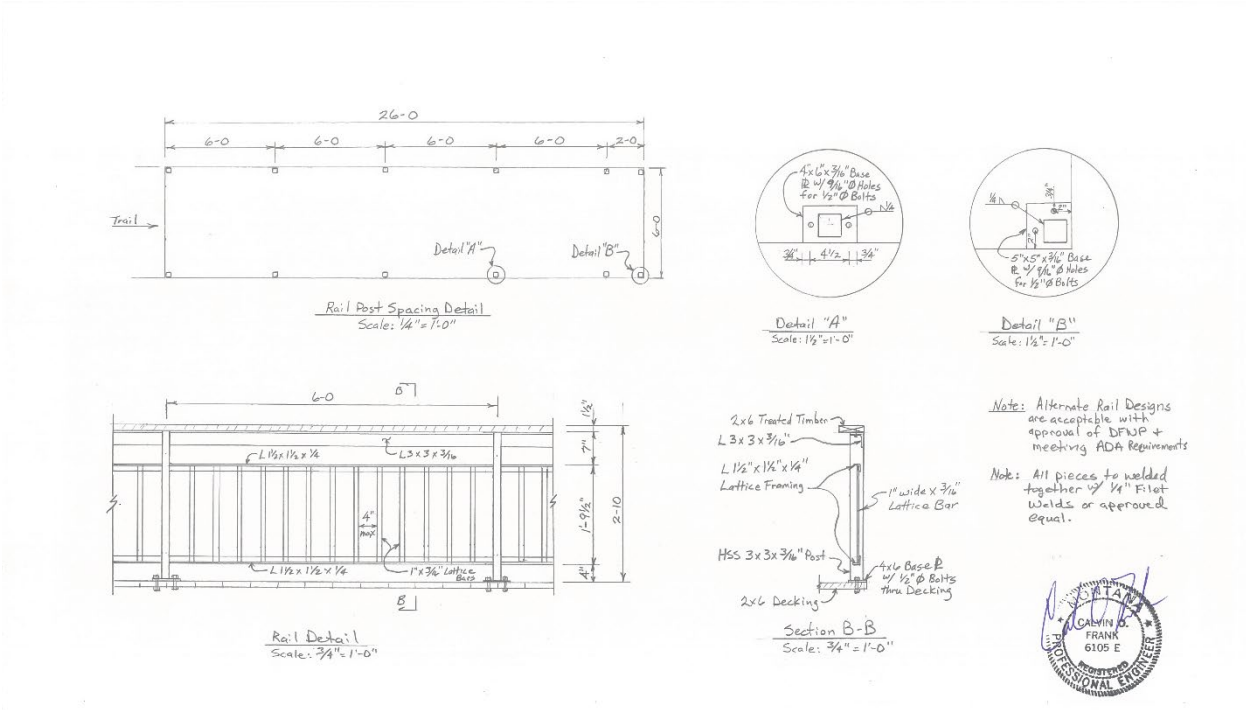


Figure 3. Engineer stamped designs of the proposed platforms.





10. Description and analysis of reasonable alternatives:

<u>Alternative A:</u> No Action
FWP would not replace the existing dock or improve the walking path. The existing cribbing would continue to be a danger for the users. People will continue to struggle to get down to the fishing docks and people with disabilities will still be looking for areas that are accessible.

<u>Alternative B:</u> Proposed Action
FWP would install new docks fixed to helical piers and designed to be left in-place throughout the year. FWP would also regrade and resurface with gravel the walkway to these docks to enhance access for all users including those with disabilities

11. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:
FWP would employ Best Management Practices (BMP), which are designed to reduce or eliminate sediment delivery to waterways during construction. FWP would develop the final design and specifications for the Proposed Action. All permits listed in Part I 8(a) above have been obtained by FWP as required. A private structural engineer was selected through the State's contracting processes and will design the docks.

PART II. ENVIRONMENTAL REVIEW CHECKLIST

Evaluation of the impacts of the <u>Proposed Action</u> including secondary and cumulative impacts on the Physical and Human Environment.

A. PHYSICAL ENVIRONMENT

Will the proposed action result in potential impacts to:	Unknown	Potentially Significant	Minor	None	Can Be Mitigated	Comments Provided
1. Geology and soil quality, stability and moisture				X		
2. Air quality or objectionable odors			X			2.
3. Water quality, quantity and distribution (surface or groundwater)				X		3
4. Existing water right or reservation				X		
5. Vegetation cover, quantity and quality			X			5.
6. Unique, endangered, or fragile vegetative species				X		
6. Terrestrial or aquatic life and/or habitats				X		
7. Unique, endangered, or fragile wildlife or fisheries species				X		
8. Introduction of new species into an area				X		
9. Changes to abundance or movement of species				X		

Comments

2. Operation of construction equipment would result in a temporary and localized increase in exhaust and odors. This impact would be limited to the immediate construction area and limited to periods of active construction.

3. The work to install the piers for the docks would occur when the pond is frozen. The walkway work would be done in compliance with FWP's Best Management Practices (Appendix A FWP BMPS) to minimize erosion and sediment delivery to the pond.

5. The new east access will require the removal and covering of approximately 500 ft^2 of cattails. Areas disturbed during pathway construction could be vulnerable to colonization by noxious weeds. These areas would be reseeded and monitored and treated for noxious weeds as necessary.

B. HUMAN ENVIRONMENT

Will the proposed action result in potential impacts to:	Unknown	Potentially Significant	Minor	None	Can Be Mitigated	Comments Provided
1. Noise and/or electrical effects			X		X	1.
2. Land use				X		
3. Risk and/or health hazards				X		
4. Community impact				X		
5. Public services/taxes/utilities				X		
6. Potential revenue and/or project maintenance costs			X			6.
7. Aesthetics and recreation			X			7.
8. Cultural and historic resources				X		
9. Evaluation of significance			X			9.
10. Generate public controversy				X		

Comments

1. Construction activities would cause some noise. The impact of this noise would be limited to the immediate construction area and would occur only during active construction. To minimize impacts to nearby residents, construction would only occur during the daytime.

6. The docks and pathways would require occasional maintenance and upkeep. FWP's FAS program has an existing maintenance budget and staffing levels that would be able to meet these needs. The improved docks would require less maintenance than the existing dock that requires regular repairs.

7. The project is intended to facilitate improved recreational use of the site by improving the pathway layout and docks. The aesthetics of the site would be slightly altered by the removal a small patch of cattails to create an ADA compliant fishing access.

9. During construction of the proposed project, there may be minor and temporary impacts to the physical environment, but the impacts would be short-term, and the improvements would benefit the community and recreational opportunities over the long-term. The Proposed Action would have no negative cumulative effects on the biological, physical, and human environments. When considered over the long-term, the Proposed Action positively impacts the public's recreational use of the FPDC.

PART III. NARRATIVE EVALUATION AND COMMENT

During construction of the proposed project, there may be minor and temporary impacts to the physical environment, but the impacts would be short-term, and the improvements would benefit the community and recreational opportunities over the long-term. The Proposed Action would have no negative cumulative effects on the biological, physical, and human environments. When considered over the long-term, the Proposed Action positively affect the public's recreational use of the Dredge Cut Trout Pond, a regionally important, FAS in Eastern Montana.

The minor impacts to the environment that were identified in the previous section are small in scale and would not influence the overall environment of the immediate area. Those impacts would occur in an area that is already developed for and impacted by public recreational use. Many of the impacts can be mitigated through careful project design and implementation. The natural environment would continue to provide habitat to transient and permanent wildlife species. Some wildlife species would be temporarily disturbed or displaced during the active construction period and would return once the project is complete. The project is not expected to have an impact on the overall abundance, distribution or diversity of fish or wildlife species in the region.

PART IV. PUBLIC PARTICIPATION

1. Public involvement:

The public will be notified in the following manners to comment on this current EA, the proposed action and alternatives:

- Two public notices in the Glasgow Courier
- One statewide press release; Independent Record
- Public notice on the Fish, Wildlife & Parks web page: *http://fwp.mt.gov*.

Copies of this environmental assessment will be distributed to the neighboring landowners and interested parties to ensure their knowledge of the proposed project.

This level of public notice and participation is appropriate for a project of this scope having limited impacts, many of which can be mitigated.

2. Duration of comment period:

The public comment period will extend for (30) thirty days following the publication of the second legal notice in area newspapers. Written comments will be accepted until 5:00 p.m., December 30, 2020 and can be mailed to the address below:

Montana Fish, Wildlife & Parks
Fort Peck Dredge Cut FAS project
1 Airport Road
Glasgow, MT 59230

PART V. EA PREPARATION

1. Based on the significance criteria evaluated in this EA, is an Environmental Impact Statement (EIS) required? (YES/NO)? NO
If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action.

Based on an evaluation of impacts to the physical and human environment relative to the Montana Environmental Policy Act, this environmental review revealed no significant negative impacts from the proposed action: therefore, an EIS is not necessary and an environmental assessment is the appropriate level of analysis. In determining the significance of the impacts, FWP assessed the severity, duration, geographic extent, and frequency of the impact, the probability that the impact would occur or reasonable assurance that the impact would not occur. FWP assessed the growth-inducing or growth-inhibiting aspects of the impact, the importance to the state and to society of the environmental resource or value effected, any precedent that would be set as a result of an impact of the proposed action that would commit FWP to future actions; and potential conflicts with local, federal, or state laws. As this EA revealed no significant impacts from the proposed actions, an EA is the appropriate level of review and an EIS is not required.

2. Person(s) responsible for preparing the EA:

Dave Fuller
Regional Fishing Access Site Manager
FWP Region 6
1 Airport Road
Glasgow, MT 59230
(406) 228-3700
fullerdave@mt.gov

3. List of agencies or offices consulted during preparation of the EA:

FWP Region Six Fisheries Division
FWP Design and Construction Bureau
ACOE – Ft Peck office
ACOE for 404 permitting

APPENDICES

A: 23-1-110 MCA Project Qualification Checklist
B: FWP Best Management Practices

APPENDIX A

23-1-110 MCA PROJECT QUALIFICATION CHECKLIST

Date: October 21st, 2020 **Person Reviewing:** Dave Fuller

Project Location: Fort Peck Dredge Cut Fishing Access Site is 3 miles south of the town of Fort Peck in Valley County. The land is in Township 27 North, Range 41 East, section 33.

Description of Proposed Work: FWP proposed to remove the existing cribbing structures, replace the existing floating docks with docks on fixed piers, and to improve the pathways for easier and safer access. In addition to, establishing and ADA fishing access.

The following checklist is intended to be a guide for determining whether a proposed action or improvement is of enough significance to fall under 23-1-110 rules. (Please check all that apply and comment as necessary.)

[X] A. New roadway or trail built over undisturbed land?
Comments: The pathways on the west and east access would be over undeveloped, though disturbed land.

[ ] B. New building construction (buildings <100 sf and vault latrines exempt)?
Comments: No new construction.

[X] C. Any excavation of 20 c.y. or greater?
Comments: The west pathway will likely result in the removal of 60-100 cy of soil which will be used to create the land jetty for the east access.

[ ] D. New parking lots built over undisturbed land or expansion of existing lot that increases parking capacity by 25% or more?
Comments: No.

[ ] E. Any new shoreline alteration that exceeds a doublewide boat ramp or handicapped fishing station?
Comments: No. New shoreline construction is for handicap fishing access

[X] F. Any new construction into lakes, reservoirs, or streams?
Comments: Helical piers would be screwed into the pond bottom to secure the dock.

[ ] G. Any new construction in an area with National Registry quality cultural artifacts (as determined by State Historical Preservation Office)?
Comments: No.

[ ] H. Any new above ground utility lines?
Comments: No.

[ ] I. Any increase or decrease in campsites of 25% or more of an existing number of campsites?
Comments: No

[ ] J. Proposed project significantly changes the existing features or use pattern, including effects of a series of individual projects?
Comments:

APPENDIX B
MONTANA FISH, WILDLIFE AND PARKS
BEST MANAGEMENT PRACTICES
10-02-02
Updated May 1, 2008

I. ROADS

A. Road Planning and location

1. Minimize the number of roads constructed at the FAS through comprehensive road planning, recognizing foreseeable future uses.
    a. Use existing roads, unless use of such roads would cause or aggravate an erosion problem.
2. Fit the road to the topography by locating roads on natural benches and following natural contours. Avoid long, steep road grades and narrow canyons.
3. Locate roads on stable geology, including well-drained soils and rock formations that tend to dip into the slope. Avoid slumps and slide-prone areas characterized by steep slopes, highly weathered bedrock, clay beds, concave slopes, hummocky topography, and rock layers that dip parallel to the slope. Avoid wet areas, including seeps, wetlands, wet meadows, and natural drainage channels.
4. Minimize the number of stream crossings.
    a. Choose stable stream crossing sites. "Stable" refers to streambanks with erosion-resistant materials and in hydrologically safe spots.

B. <u>Road Design</u>

1. Design roads to the minimum standard necessary to accommodate anticipated use and equipment. The need for higher engineering standards can be alleviated through proper road-use management. "Standard" refers to road width.
2. Design roads to minimize disruption of natural drainage patterns. Vary road grades to reduce concentrated flow in road drainage ditches, culverts, and on fill slopes and road surfaces.

C. <u>Drainage from Road Surface</u>

1. Provide adequate drainage from the surface of all permanent and temporary roads. Use outsloped, insloped or crowned roads, installing proper drainage features. Space road drainage features so peak flow on road surface or in ditches will not exceed their capacity.
    a. Outsloped roads provide means of dispersing water in a low-energy flow from the road surface. Outsloped roads are appropriate when fill slopes are stable, drainage will not flow directly into stream channels, and transportation safety can be met.
    b. For insloped roads, plan ditch gradients steep enough, generally greater than 2%, but less than 8%, to prevent sediment deposition and ditch erosion. The steeper gradients may be suitable for more stable soils; use the lower gradients for less stable soils.
    c. Design and install road surface drainage features at adequate spacing to control erosion; steeper gradients require more frequent drainage features.

Properly constructed drain dips can be an economical method of road surface drainage. Construct drain dips deep enough into the sub-grade so that traffic will not obliterate them.

2. For ditch relief/culverts, construct stable catch basins at stable angles. Protect the inflow end of cross-drain culverts from plugging and armor if in erodible soil. Skewing ditch relief culverts 20 to 30 degrees toward the inflow from the ditch will improve inlet efficiency.
3. Provide energy dissipators (rock piles, slash, log chunks, etc.) where necessary to reduce erosion at outlet of drainage features. Cross-drains, culverts, water bars, dips, and other drainage structures should not discharge onto erodible soils or fill slopes without outfall protection.
4. Route road drainage through adequate filtration zones, or other sediment-settling structures. Install road drainage features above stream crossings to route discharge into filtration zones before entering a stream.

D. Construction/Reconstruction

1. Stabilize erodible, exposed soils by seeding, compacting, riprapping, benching, mulching, or other suitable means.
2. At the toe of potentially erodible fill slopes, particularly near stream channels, pile slash in a row parallel to the road to trap sediment. When done concurrently with road construction, this is one method to effectively control sediment movement and it also provides an economical way of disposing of roadway slash. Limit the height, width and length of these "slash filter windrows" so not to impede wildlife movement. Sediment fabric fences or other methods may be used if effective.
3. Construct cut and fill slopes at stable angles to prevent sloughing and subsequent erosion.
4. Avoid incorporating potentially unstable woody debris in the fill portion of the road prism. Where possible, leave existing rooted trees or shrubs at the toe of the fill slope to stabilize the fill.
5. Place debris, overburden, and other waste materials associated with construction and maintenance activities in a location to avoid entry into streams. Include these waste areas in soil stabilization planning for the road.
6. When using existing roads, reconstruct only to the extent necessary to provide adequate drainage and safety; avoid disturbing stable road surfaces. Consider abandoning existing roads when their use would aggravate erosion.

E. <u>Road Maintenance</u>

1. Grade road surfaces only as often as necessary to maintain a stable running surface and to retain the original surface drainage.
2. Maintain erosion control features through periodic inspection and maintenance, including cleaning dips and cross-drains, repairing ditches, marking culvert inlets to aid in location, and clearing debris from culverts.
3. Avoid cutting the toe of cut slopes when grading roads, pulling ditches, or plowing snow.
4. Avoid using roads during wet periods if such use would likely damage the road

drainage features. Consider gates, barricades or signs to limit use of roads during wet periods.

II. RECREATIONAL FACILITIES (parking areas, campsites, trails, ramps, restrooms)

A. Site Design

1. Design a site that best fits the topography, soil type, and stream character, while minimizing soil disturbance and economically accomplishing recreational objectives. Keep roads and parking lots at least 50 feet from water; if closer, mitigate with vegetative buffers as necessary.
2. Locate foot trails to avoid concentrating runoff and provide breaks in grade as needed. Locate trails and parking areas away from natural drainage systems and divert runoff to stable areas. Limit the grade of trails on unstable, saturated, highly erosive, or easily compacted soils
3. Scale the number of boat ramps, campsites, parking areas, bathroom facilities, etc. to be commensurate with existing and anticipated needs. Facilities should not invite such use that natural features will be degraded.
4. Provide adequate barriers to minimize off-road vehicle use

B. Maintenance: Soil Disturbance and Drainage

1. Maintenance operations minimize soil disturbance around parking lots, swimming areas and campsites, through proper placement and dispersal of such facilities or by reseeding disturbed ground. Drainage from such facilities should be promoted through proper grading.
2. Maintain adequate drainage for ramps by keeping side drains functional or by maintaining drainage of road surface above ramps or by crowning (on natural surfaces).
3. Maintain adequate drainage for trails. Use mitigating measures, such as water bars, wood chips, and grass seeding, to reduce erosion on trails.
4. When roads are abandoned during reconstruction or to implement site-control, they must be reseeded and provided with adequate drainage so that periodic maintenance is not required.

III. RAMPS AND STREAM CROSSINGS

A. Legal Requirements

1. Relevant permits must be obtained prior to building bridges across streams or boat ramps. Such permits include the SPA 124 permit, the COE 404 permit, and the DNRC Floodplain Development Permit.

B. Design Considerations

1. Placement of boat ramp should be such that boats can load and unload with out difficulty and the notch in the bank where the ramp was placed does not encourage bank erosion. Extensions of boat ramps beyond the natural bank can also encourage erosion.
2. Adjust the road grade or provide drainage features (e.g. rubber flaps) to reduce the concentration of road drainage to stream crossings and boat ramps. Direct drainage flow through an adequate filtration zone and away from the ramp or

crossing through the use of gravel side-drains, crowning (on natural surfaces) or 30-degree angled grooves on concrete ramps.

3. Avoid unimproved stream crossings on permanent streams. On ephemeral streams, when a culvert or bridge is not feasible, locate drive-throughs on a stable, rocky portion of the stream channel.
4. Unimproved (non-concrete) ramps should only be used when the native soils are sufficiently gravelly or rocky to withstand the use at the site and to resist erosion.

C. Installation of Stream Crossings and Ramps

1. Minimize stream channel disturbances and related sediment problems during construction of road and installation of stream crossing structures. Do not place erodible material into stream channels. Remove stockpiled material from high water zones. Locate temporary construction bypass roads in locations where the stream course will have a minimal disturbance. Time the construction activities to protect fisheries and water quality.
2. Where ramps enter the stream channel, they should follow the natural streambed in order to avoid changing stream hydraulics and to optimize use of boat trailers.
3. Use culverts with a minimum diameter of 15 inches for permanent stream crossings and cross drains. Proper sizing of culverts may dictate a larger pipe and should be based on a 50-year flow recurrence interval. Install culverts to conform to the natural streambed and slope on all perennial streams and on intermittent streams that support fish or that provide seasonal fish passage. Place culverts slightly below normal stream grade to avoid culvert outfall barriers. Do not alter stream channels upstream from culverts, unless necessary to protect fill or to prevent culvert blockage. Armor the inlet and/or outlet with rock or other suitable material where needed.
4. Prevent erosion of boat ramps and the affected streambank through proper placement (so as to not catch the stream current) and hardening (riprap or erosion resistant woody vegetation).
5. Maintain a 1-foot minimum cover for culverts 18-36 inches in diameter, and a cover of one-third diameter for larger culverts to prevent crushing by traffic.